

At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Thursday, June 2, 1994, the following members were present:

Bob Anderson, Chairman  
Bob Rowe, Vice Chairman  
Dave Fisher, Commissioner  
Nancy McCaffree, Commissioner  
Danny Oberg, Commissioner

APPEARANCE

Martin Jacobson, Joel Tierney

(305) In the matter of Montana Dakota Utility and related motions by MDU to revise procedural schedule; Commissioner McCaffree moved to grant the request to extend and revise procedural length by nine (9) days. Commissioner Oberg seconded the motion, which passed unanimously.

APPEARANCE

Dave Burchett, Wayne Burchett

(306) In the matter of the Commission's discussion of a complaint against Dick Irvin, Inc. by Gerald Patterson; Commissioner Oberg moved to authorize staff to contract with an independent firm to audit way bills and drivers logs to determine if its in accordance with tariffs and PSC rules and orders. Commissioner Fisher seconded the motion, which passed unanimously.

Commissioner Oberg moved to accept the complaint of Gerald Patterson as a formal complaint. Commissioner Rowe seconded the motion, which passed unanimously.

APPEARANCE

Sandra Barrows, Denise Peterson, Dan Elliott,  
Eric Eck, Joel Tierney

(307) In the matter of Montana Power Company motions for reconsideration from Montana Consumer Counsel and Montana Power Company - Docket 93.6.24;

- Accounting Order - Commissioner Rowe moved to deny the request of MPC for an accounting order. Commissioner McCaffree seconded the motion, which passed unanimously.

- Return on Equity - Commissioner Rowe moved to grant the MCC motion to set equity at 10.5 and deny motion of MPC. Commissioner McCaffree seconded the motion, which failed. Commissioners Rowe and McCaffree voted aye. Commissioners Anderson, Oberg and Fisher dissented.

- Cash Working Capital - Commissioner Rowe moved to grant the motion of MPC. Commissioner McCaffree seconded the motion, which passed unanimously.

- Rate of Return - Commissioner moved to deny MPC motion for reconsideration of ROE. Commissioner Fisher seconded the motion, which passed unanimously.

- Depreciation Reserve - Commissioner Fisher moved to deny MCC motion on depreciation reserve. Commissioner McCaffree seconded the motion, which passed. Commissioners Anderson, Oberg, McCaffree and Fisher voted aye. Commissioner Rowe dissented.

- Accumulated Depreciation Adjustment - Commissioner Fisher moved to deny MPC's motion on accumulated depreciation adjustment.

Commissioner Rowe seconded the motion, which passed unanimously.

- Software Amortization - Commissioner Fisher moved to deny MPC's motion on software amortization. Commissioner McCaffree seconded the motion, which passed unanimously.

- Power Supply Costs - Commissioner McCaffree moved to deny MPC's motion on power supply costs. Commissioner Rowe seconded the motion, which passed unanimously.

- WIM Reporting Requirements - Commissioner Rowe moved to deny the motion of MPC on Washington, Idaho, Montana (WIM) reporting requirements. Commissioner Fisher seconded the motion, which passed unanimously.

- Customer Counts - Commissioner McCaffree moved to deny the MPC motion on year end customer counts. Commissioner McCaffree seconded the motion, which passed unanimously.

- Attrition Adjustment - Commissioner McCaffree moved to deny the motion of MPC on the attrition adjustment. Commissioner Rowe seconded the motion, which passed unanimously.

- Canadian Withholding - Commissioner Fisher moved to deny the motion of MPC on the Canadian withholding tax adjustment. Commissioner McCaffree seconded the motion, which passed unanimously.

- Tax Normalization - Commissioner Rowe moved to deny the motion of MPC on tax normalization adjustment. Commissioner McCaffree seconded the motion, which passed unanimously.

- OPEB's - Commissioner McCaffree moved to grant the Motion of MPC on OPEB's by clarifying certain findings of fact. Commissioner Rowe seconded the motion, which passed unanimously.

- Captive Coal - Commissioner McCaffree moved to deny the motion of MPC on the captive coal adjustment. Commissioner Rowe seconded the motion, which passed unanimously.

- Coal Study - Commissioner Rowe moved to grant the MPC motion on top layer coal study until 1995, but deny the portion dealing with other requests. Commissioner Fisher seconded the motion, which passed unanimously.

Commissioner Oberg moved to direct staff to draft an order which incorporates all direction given and directs that any rate changes be made in conjunction with Docket 93.7.29. Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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BOB ANDERSON, Chairman

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BOB ROWE, Vice Chairman

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DAVE FISHER, Commissioner

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NANCY McCAFFREE, Commissioner

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DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, June 6, 1994, the following members were present:

Bob Anderson, Chairman  
Bob Rowe, Vice Chairman  
Dave Fisher, Commissioner  
Nancy McCaffree, Commissioner  
Danny Oberg, Commissioner

APPEARANCE  
Dan Elliott, Administrator

(308) In the matter of MCI - DOCKET N-94-41; on May 5, 1994 MCI filed Transmittal Letter No. 19 proposing several changes in its Tariff and Price List. MCI proposes to introduce a prepaid calling card service as Metered Use Option P, eliminate the free call allowance for directory assistance, introduce a discount plan and an 800 option for MCI Vision service, include third party billed calls under 1-800-COLLECT and make various other changes. Commissioner Fisher moved to approve the filing. Commissioner Oberg seconded the motion, which passed unanimously.

APPEARANCE  
Bonnie Lorang  
Transportation Division

(309) In the matter of Rex Koch dba Koch Trucking, Bridger, MT - Docket T-94.29.PCN; Commissioner McCaffree moved to approve application for a Montana Intrastate Certificate of Public Convenience and Necessity authorizing the following:

Class B - Livestock between all points and places  
in the State of Montana.

Commissioner Rowe seconded the motion, which passed unanimously.

(310) In the matter of John E. Isaacs dba Isaacs Sani-Serv, Circle, MT 59215 - Docket T-94.31.PCN; Commissioner Oberg moved to approve the application for a Montana Intrastate Certificate of Public Convenience and Necessity authorizing the following:

Class D - Garbage and trash within the town of Lindsay, Montana, and additionally serving all points located within sixteen miles of each side of Highway 200 from Lindsay, Montana west to the McCone County line.

Commissioner McCaffree seconded the motion, which passed unanimously.

(311) In the matter of Davis Transport, Inc., Missoula, MT - Docket T-94.33.PCN; Commissioner Rowe moved to approve the application for a Montana Intrastate Certificate of Public Convenience and Necessity authorizing the following:

Class C - Municipal waterworks piping between all points and places in the State of Montana. Limitations: Transportation is restricted to that provided for the account of Western Utility Supply Co. and/or its successor in interest.

Commissioner Fisher seconded the motion, which passed unanimously.

(312) In the matter of Intermountain Produce Co., Inc., Bozeman, MT - Docket T-94.39.PCN; Commissioner Fisher moved to approve the application for a Montana Intrastate Certificate of Public Convenience and Necessity authorizing the following:

Class C - Beverages between all points and places in Broadwater, Cascade, Deer Lodge, Gallatin, Granite, Jefferson, Lewis & Clark, Madison, Missoula, Park, Powell, Silver Bow, Stillwater, Sweet Grass, and Yellowstone Counties.  
Limitations: Transportation is restricted to that provided for the accounts of Bronken's, Inc., Bozeman, Montana and Cardinal Distributing Co., Bozeman, Montana and/or their successors in interest.

Commissioner Oberg seconded the motion, which passed unanimously.

(313) In the matter of Thomas R. Wright dba Thomas R. Wright Trucking, Troy, Montana - Docket TN1589; Commissioner Rowe moved to approve the applicants request for a final six month period of suspension for PSC No. 2568, May 22, 1994 to November 22, 1994.

Class C - property within the town of Troy, Montana, and between all points and places within a radius of fifty miles thereof.  
Limitations: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

Commissioner McCaffree seconded the motion, which passed unanimously.

(314) In the matter of Diane Jeannette Masciullo dba The People and Package Express, Polson, Montana - Docket TN1590; Commissioner Rowe moved to approve applicants request for a final six month period of suspension for PSC No. 9307, May 1, 1994 to November 1, 1994.

Class A - Passengers and express between Polson, Montana and Ronan, Montana serving all intermediate points.  
Limitations: Transportation by limousine service is prohibited.

Commissioner McCaffree seconded the motion, which passed unanimously.

(315) In the matter of Murray's Delivery Service, Inc., Great Falls, Montana - Docket TN1591; Commissioner Rowe moved to approve applicants request to lease PSC No. 1832 to Security Armored Express, Inc., Helena, Montana for a period of six months, June 6, 1994 to December 6, 1994.

Class C - property, within the City of Great Falls, Montana, and to or from points tributary thereto, but within a distance not exceeding ten (10) miles in any direction from said city. Limitations: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

SUB A Class C - bank clearing and cash letters; bank records; commercial paper; data processing material and such other bank related items as are commonly transported in courier service, between Great Falls on the one hand, and, on the other, points within a radius within 250 miles of Great Falls, Montana. Limitations: Such transportation service shall be provided only for the First National Bank of Great Falls, Montana, under the terms of a written contract which shall be filed with and approved by the Public Service Commission before such transportation may be provided; AND Paper, paper products, new furniture, floor covering, floor covering installation materials, and floor covering installation equipment, between Great Falls, Montana on the one hand, and, on the other, points within a radius of 250 miles of Great Falls, Montana. Limitations: Applicant is limited to serving points and termini now served on a regular scheduled basis by BN, Inc., and Salt Creek Freightways within aforesaid 250 mile radius of Great Falls, Montana, using vans of no greater length than 18 feet and is restricted and limited from serving those points regularly served by Belt Mountain Transportation Line whatsoever. Applicant is further limited to furnishing transportation herein under pursuant to the terms of no more than five written contracts in addition to the contract with the First National Bank of Great Falls, Montana, which contracts shall be submitted to this Commission for approval before any transportation may be provided herein under. If any of the initial five contracts are canceled or terminated, any new contracts must be filed with and approved by the Commission, before any transportation may be provided thereunder.

SUB B Class D - Ashes, trash, waste, refuse, rubbish and garbage, within the City of Great Falls, Montana, and to or from points tributary thereto, but within a distance not exceeding ten (10) miles in any direction from said city. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

SUB C Class C - Pharmaceuticals between all points and places in Cascade, Lewis & Clark, Chouteau, Blaine, Toole, Liberty, Pondera, Glacier, Hill and

Teton Counties. Limitations: Transportation is restricted to the account of McKesson Drug Company, only.

Commissioner McCaffree seconded the motion, which passed unanimously.

(316) In the matter of Morgan Drive-Away, Inc., Elkhart, IN, - Docket T-94.41.RI; Commissioner Fisher moved to approve increased rates and charges of 5%, in Freight Tariff No. 7, MRC No. 7, Section II and Section IV. The increase applies on the transportation of Secondary or Used House Trailers and Used Buildings or Building Sections between all points and places in the State of Montana.

Protest Date: June 1, 1994 - no protests received  
Effective Date: June 9, 1994

Commissioner Oberg seconded the motion, which passed unanimously.

(317) Commissioner Fisher moved to approve the July calendar. Commissioner Rowe seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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BOB ANDERSON, Chairman

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BOB ROWE, Vice Chairman

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DAVE FISHER, Commissioner

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NANCY McCAFFREE, Commissioner

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DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, June 6, 1994, the following members were present:

Bob Rowe, Vice Chairman  
Dave Fisher, Commissioner  
Nancy McCaffree, Commissioner

Commissioners Anderson and Oberg were absent and did not vote on the following issues.

APPEARANCE  
Bonnie Lorang

(318) In the matter of Plouffe Disposal Service procedural discussion and motion to continue - Docket T-93.98.PCN; Commissioner McCaffree moved to deny motion to continue hearing. Commissioner Fisher seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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BOB ROWE, Vice Chairman

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DAVE FISHER, Commissioner

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NANCY McCAFFREE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, June 6, 1994, the following members were present:

Bob Anderson, Chairman  
Bob Rowe, Vice Chairman  
Dave Fisher, Commissioner  
Nancy McCaffree, Commissioner

Commissioner Oberg was absent and did not vote on the following issues.

APPEARANCE  
Bonnie Lorang, Martin Jacobson

(319) In the matter of Sure-Way Transportation, Inc. discussion of motions - Docket T-94.38.PCN; Commissioner Rowe moved to short the amount of time to respond to discovery by applicant, pursuant to Montana Rule Civil Procedure 36(a). Commissioner Fisher seconded the motion, which passed unanimously.

APPEARANCE  
Dan Elliott

(320) In the matter of Montana Power Company Cost of Service/Rate Design draft order discussion - Docket No. 93.7.29; Commissioner Rowe moved to reconsider reduction in irrigation demand charge. Irrigation tariff will not be treated differently than other classes. Commissioner McCaffree seconded the motion, which passed unanimously.

(321) In the matter of the town of Darby (S) discussion of final order - Docket No. 94.3.16; Commissioner Fisher moved to approve Final Order No. 5790. Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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BOB ANDERSON, Chairman

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BOB ROWE, Vice Chairman

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DAVE FISHER, Commissioner

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NANCY McCAFFREE, Commissioner

ATTEST:

Kathlene M. Anderson

Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, June 13, 1994, the following members were present:

Bob Anderson, Chairman  
Bob Rowe, Vice Chairman  
Dave Fisher, Commissioner  
Nancy McCaffree, Commissioner  
Danny Oberg, Commissioner!

APPEARANCE

Dan Elliott, Administrator  
Utility Division

(322) In the matter of Montana Power Company for authority to increase rates for Natural Gas & Electric Service - DOCKET 93.6.24 Commissioner Oberg moved adopt Order No. 5709 on Motions for Reconsideration. Commissioner Fisher seconded the motion, which passed unanimously.

(323) In the matter of Sprint Communications - Docket N-94-46, On May 25, 1994, Sprint filed to: 1) introduce Busy Line Verify/Emergency Interruption; 2) make a billing increment change for DIAL 1 WATS; 3) make changes in VPN FONCARD and VPN Premiere FONCARD; 4) introduce the Most For Business SDS; and 5) make miscellaneous textual changes (see 6/9 memo). Commissioner Rowe moved to approve the filing. Commissioner McCaffree seconded the motion, which passed unanimously.

(324) In the matter of PSC-OCC Docket 94.2.8, On May 16, 1994, the Commission received a late-filed petition for special intervention from Telecommunications Resellers Association. Commissioner Rowe moved to approve the late intervention. Commissioner Fisher seconded the motion, which passed unanimously.

(325) In the matter of Montana Power Company - Docket 93.7.29. Commissioner Fisher moved to adopt Final Order 5735c. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Bonnie Lorang  
Transportation Division

(326) In the matter of Docket T-94.5.PCN - Schelko, Inc. dba A-Limo Bus Company, Billings, Montana has filed an application for a Certificate of Public Convenience and Necessity and parties have stipulated to the following grant of authority:

Class B - Passengers in charter service between all points and places in Yellowstone and Big Horn Counties, Montana, on the one hand, on the other all points and places in Carbon, Stillwater, Sweet Grass, Yellowstone, and Big Horn Counties, Montana.

Limitations: (1) Transportation is restricted to vehicles having a seating capacity of twenty-one (21) passengers or less and no more than twenty-two (22) persons in the vehicle, including the driver. (2) All transportation services must be provided in vehicles capable of transporting more than seven (7) passengers (including the driver). (3) Transportation as a jitney or taxi is prohibited. (4) Service is restricted to that provided by reservations made at least one (1) hour in advance.

(5) No transportation under this authority by luxury limousine automobile.

Commissioner McCaffree moved to approve the application. Commissioner Rowe seconded the motion which passed unanimously.

(327) In the matter of Docket T-94.11.PCN - Schelko, Inc. dba A-Limo Limousine Co., Billings, Montana, has filed an application to amend Montana Intrastate Certificate of Public Convenience and Necessity PSC No. 8943. That certificate currently authorizes the following:

Class B - Passengers by limousine between all points and places in Yellowstone County.  
Limitations: (1) Transportation is restricted to passenger vehicles having a capacity not to exceed twelve (12) passengers. (2) Transportation is limited to limousine (luxury automobile) service only. (3) Transportation as a bus, jitney or taxi is prohibited. (4) Service is restricted to that provided by reservations made at least one (1) hour in advance.

Applicant proposes to amend PSC No. 8943 and parties have stipulated to the following:

Class B - Passengers by limousine between all points and places in Big Horn, Carbon, Stillwater, Sweetgrass and Yellowstone Counties.  
Limitations: (1) Transportation is restricted to passenger vehicles having a capacity not to exceed twelve (12) passengers. (2) Transportation is limited to limousine (luxury automobile) service only. (3) Transportation as a bus, jitney or taxi is prohibited. (4) Service is restricted to that provided by reservations made at least one (1) hour in advance.

Commissioner McCaffree moved to approve the amended application. Commissioner Rowe seconded the motion, which passed unanimously.

(328) In the matter of Docket T-94.14.PCN - Ron and Debbie Kindsfather dba Limo Scene Limousine Service, Billings, Montana, to amend Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 8949. The certificate currently authorizes the following:

Class B - Passengers within Billings, Montana, and a fifty (50) mile radius thereof.  
Limitations: (1) Transportation is restricted to chauffeured limousine service only. (2) Transportation is restricted to six (6) passengers or less. (3) Transportation of Burlington Northern crews is prohibited. (4) Transportation as a jitney or taxi is prohibited. (5) Service is restricted to that provided by reservations made at least 24 hours in advance.

Applicant proposes to amend PSC No. 8949 and parties have stipulated to the following:

Class B - Passengers between all points and places within a 200 mile radius of Billings, Montana.  
Limitations: (1) Transportation must originate a) in Yellowstone County or b) within a fifty (50) mile radius of Billings, Montana. (2) Transportation is limited to luxury limousine

service only. (3) Transportation is restricted to twelve (12) passengers or less. (4) Transportation of Burlington Northern crews is prohibited. (5) Transportation as a bus, jitney or taxi is prohibited. (6) Service is restricted to that provided by reservations made at least one (1) hour in advance. (7) Transportation to Park, Gallatin or Madison Counties in Montana is further limited to that which originates in Yellowstone County, Montana.

Commissioner McCaffree moved to approve the amended application. Commissioner Rowe seconded the motion, which passed unanimously.

(329) In the matter of Docket T-94.28.PCN - Barbara Anne Lewis dba Busy Bee Garbage Service, Sheridan, Montana, filed an application for a Montana Intrastate Certificate of Public Convenience and Necessity authorizing the following:

Class D - Garbage within the towns of Twin Bridges and Sheridan, Montana and points within a ten (10) mile radius of each said town.

Applicant now requests that the application be withdrawn and the docket closed.

Commissioner Fisher move to approve withdrawal of application and closure of docket. Commissioner McCaffree seconded the motion, which passed unanimously.

(330) In the matter of Docket T-94.30.ST - Timothy L. Norman dba Cross-N Transport, Missoula, Montana, has filed an application for transfer of Montana Intrastate Certificate of Public Convenience and Necessity, PSC No. 4307 to Pamela J. Norman dba CNT Express, Missoula, MT.

Class C - property (foodstuffs & hardware) within the City of Missoula, Montana and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction, and occasional trips, not exceeding an average of four (4) trips per month, to the City of Kalispell, Montana, via U.S. Highway No. 93.

Commissioner Rowe moved to approve application for transfer. Commissioner McCaffree seconded, the motion, which passed unanimously.

(331) In the matter of Docket T-94.34.PCN - A & A Transport, Inc., Kalispell, Montana, has requested a ninety (90) day extension of temporary authority to transport cottage cheese, sour cream, ice cream, cheese and all other milk products manufactured by Borden/Meadow Gold Dairies in the State of Montana and associated components required for this processing, Class C, from Borden/Meadow Gold Dairies in Kalispell to Borden/Meadow Gold cold storage facilities and retail outlets in Missoula. Transportation is restricted to that provided in refrigerated vans only.

A protest has been received on the permanent application (which is more broad in scope) but not on the temporary.

Commissioner Rowe moved to approve extension of temporary authority. Commissioner Fisher seconded the motion, which passed unanimously.

(332) In the matter of Docket T-94.37.PCN - Security Armored Express, Inc., Helena, Montana, has filed an application for a

Montana Intrastate Certificate of Public Convenience and Necessity authorizing the following:

Class C - Telephone coin canisters, with or without contents, between customer locations in Montana designated by US West Business Resources, Inc. and processing and accounting facilities in Montana operated by Security Armored Express, Inc., or its successors in interest, for the account of US West Communications, Inc., and/or its successors in interest.

Protests to the docket have been withdrawn.  
Commissioner McCaffree moved to approve the application.  
Commissioner Rowe seconded the motion, which passed unanimously.

(333) In the matter of TN1592 - Lowell Curtis, Manhattan, Montana requests that existing lease of PSC 2732 between himself and Curtis Homes, Inc., Manhattan, Montana be terminated. Secondly, he requests permission to lease PSC 2732 to Jon Westervelt dba Westervelt Trucking, Manhattan, Montana, for a one year period, June 6, 1994 to June 6, 1995.

Class B - New and used house trailers, designed to be drawn by motor vehicles, with and without accessories and contents (owner's furniture, fixtures and personal property) in tow-away service, serving to, from and between all points and places in the State of Montana.  
Limitations: All shipments must originate or terminate in Silver Bow, Deer Lodge, Jefferson, Granite, Powell, Madison, Park, Gallatin, Meagher and Beaverhead Counties.

Commissioner Fisher moved to approve termination of lease with Curtis Homes; and approve lease with Westervelt Trucking.  
Commissioner Rowe seconded the motion, which passed unanimously.

(334) In the matter of TN1593 - Ronald K. Crafton dba Crafton NorthWest, Billings, Montana requests permission to lease PSC No. 9332 to Mark L. Foos dba Northwest Passage, Billings, Montana for a period of one year, June 13, 1994 to June 13, 1995.

Class B - Passengers and their personal belongings between all points and places in the State of Montana.  
Limitations: (1) Transportation is restricted to that provided by vehicles with a rated seating capacity of eight or less. (2) Transportation must originate or terminate in Yellowstone County. (3) No passenger transportation services shall originate or terminate within Fergus, Judith Basin, Musselshell, Toole, Treasure, Stillwater, Carbon, and Big Horn Counties, with the exception of Fort Smith, Montana and a fifty (50) mile radius thereof. (4) Transportation utilizing luxury limousines or motor coach (bus) is prohibited. (5) Transportation of railroad personnel is prohibited. (6) Transportation movements which both originate and terminate within Billings, Montana and a fifty (50) mile radius thereof are prohibited. (7) Transportation may not originate within Flathead County.

Commissioner McCaffree moved to approve the lease. Commissioner Rowe seconded the motion, which passed unanimously.

(335) In the matter of TN1594 - William P. Emge, an Individual, Helena, Montana requests permission to lease PSC No. 2103 to Maureen Kloker dba Kids About Town, Helena, Montana for a period of six months, June 13, 1994 to December 13, 1994.

Class B - persons and personal baggage within the City of Helena and to or from points within a radius of 25 miles thereof.

Commissioner Fisher moved to approve the lease. Commissioner Oberg seconded the motion, which passed. Commissioners Oberg, Anderson, Fisher and McCaffree voted aye. Commissioner Rowe abstained

There being no further business to come before the Commission the meeting was adjourned.

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BOB ANDERSON, Chairman

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BOB ROWE, Vice Chairman

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DAVE FISHER, Commissioner

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NANCY McCAFFREE, Commissioner

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DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday June 14, 1994, the following members were present:

Bob Anderson, Chairman  
Bob Rowe, Vice Chairman  
Dave Fisher, Commissioner  
Nancy McCaffree, Commissioner  
Danny Oberg, Commissioner!

APPEARANCE  
Martin Jacobson

(336) In the matter of Montana-Dakota Utilities - Docket No.

94.4.17; Commissioner McCaffree moved to deny the extension of six days requested by the parties. Motion dies for a lack of second. Commissioner Oberg moved to grant the six day extension and direct staff to amend procedural schedule. Commissioner Fisher seconded the motion, which passed. Commissioners Anderson, Oberg, Fisher and Rowe voted aye. Commissioner McCaffree dissented.

## APPEARANCE

David Burchett, Denise Peterson

(337) In the matter of Affordable Homes - Docket No. T-94.1.PCN; Commissioner Fisher moved to vacate the hearing date and direct staff to draft a default order for the Commission's future consideration. Commissioner Oberg seconded the motion, which passed. Commissioners Oberg, Anderson, Fisher and McCaffree voted aye. Commissioner Rowe abstained.

## APPEARANCE

Martin Jacobson, David Burchett

(338) In the matter of Sure Way Transport's motion to dismiss BFI as protestant - Docket T-94.38.PCN; Commissioner Fisher moved to issue a notice of Commission action requiring BFI to respond within 5 days to service Commission request for further argument on substance of BFI's protest. Commissioner Rowe seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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BOB ANDERSON, Chairman

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BOB ROWE, Vice Chairman

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DAVE FISHER, Commissioner

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NANCY McCAFFREE, Commissioner

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DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Monday, June 20, 1994, the following members were present:

Bob Anderson, Chairman  
Bob Rowe, Vice Chairman  
Dave Fisher, Commissioner  
Nancy McCaffree, Commissioner  
Danny Oberg, Commissioner

## APPEARANCE

Dan Elliott, Administrator  
Utility Division

(339) In the matter of PACIFICORP - DOCKET 94.6.23, On June 6, PP&L filed an application for authority to sell Debt and No Par Serial Preferred Stock in an amount not to exceed \$150,000,000. PP&L is requesting an amendment to the authority granted in Docket No. 94.3.13 to provide for (1) the issuance of adjustable rate preferred stock either directly by the Company, indirectly through a special purpose company, (SPC) or a combination thereof and (2) the issuance of unsecured debt by the Company to the holders of the SPC's preferred stock or its equivalent in exchange for such stock or equivalent under certain circumstances. Additionally, PP&L requests that the authorities be extended to December 31, 1995. Commissioner Rowe moved to adopt Default Order No. 5792. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE  
Bonnie Lorang  
Transportation Division

(340) In the matter of Docket T-94.1 - Affordable Home, RV and Mobile Home Service Corp., Missoula, Montana, has applied for a Montana Intrastate Certificate of Public Convenience and Necessity. Notice was issued on February 7, 1994, with a protest date of February 27, 1994. No written protest were received. The application is as follows:

Class B - New and used trailers/mobile homes designed to be drawn by passenger and other motor vehicles and equipment with accessories and contents in tow-away-service between all points and places in Ravalli County.

Commissioner Rowe moved to approve the application. Commissioner McCaffree seconded the motion, which passed unanimously.

(341) In the matter of Docket T-94.45.RR - Montana Rail Link, Inc., Missoula, Montana, has filed notice, pursuant to 69-14-813(2), MCA of the following proposed trackage removal:

Former C.B. & Q. Track No. 60, being 297 feet in length including turnout, located in vacated North 21st Street between First Avenue North and Second Avenue North, in Billings, Montana.

No protests have been received.

Commissioner Fisher moved to approve the track removal. Commissioner Rowe seconded the motion, which passed unanimously.

(342) In the matter of Docket T-94.46.RR - Montana Rail Link, Inc., Missoula, Montana, has filed notice, pursuant to 69-14-813(2), MCA of the following proposed trackage removal:

Former C.B. & Q. track No. 12, being 890 feet in length, or less, including turnout, located between North 18th Street and North 21st Street and lying along the northwesterly edge of Montana Avenue, in Billings, Montana.

No protests have been received.

Commissioner McCaffree moved to approve the track removal. Commissioner Rowe seconded the motion, which passed unanimously.

(343) In the matter of Docket T-94.47.RR - Montana Rail Link, Inc., Missoula, Montana has filed notice, pursuant to 69-14-813(2), MCA of the following proposed trackage removal:

Spur track (Montana Liquor Warehouse trackage),  
being 812 feet in length including turnout, located  
in NW 1/4, NW 1/4 of Section 28, south of Airport  
Road in Helena, Montana.

No protests have been received.

Commissioner Rowe moved to approve the track removal. Commissioner Fisher seconded the motion, which passed unanimously.

(344) In the matter of TN1595 - Peterson Ranch & Feedlot, Winifred, Montana, requests that the Commission combine PSC No. 9335 with another of its assigned numbers PSC No. 3442. This will simplify the lease and sale and transfer of the authorities represented by those two numbers. Secondly, Peterson Ranch & Feedlot requests permission to then lease the combined authority PSC No. 3442 to Obie Trucking, Inc., Winifred, Montana for a period of one year, July 1, 1994 to July 1, 1995.

Class B - livestock between all points and places  
in the State of Montana.

Class C - Feed of all kinds, bulk or bagged, from  
Cascade County to all points in Cascade, Fergus,  
Petroleum, Garfield, Musselshell, Golden Valley,  
Wheatland, Judith Basin, Chouteau, Teton, Pondera,  
Yellowstone, Meagher and Phillips Counties.  
Limitations: Transportation is limited to no more  
than five Separate contracts and shall exclude any  
contract with Moore's Farmers Union of Moore,  
Montana.

Commissioner Oberg moved to approve consolidation of PSC No. 9335 and 3442. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Oberg moved to approve the lease of PSC 3442. Commissioner Fisher seconded the motion, which passed unanimously.

(345) In the matter of TN1596 - Edward L. Marks, Somers, Montana, requests permission to renew the lease of PSC no. 9076 to Rickie D. and Kelley E. Wood dba Western Automotive Transport, Kalispell, Montana for a period of one year, June 25, 1994 to June 25, 1995.

Class B - Used cars, pickups and farm machinery of  
less than 20,000 GVW, from all points and places in  
the State of Montana for delivery in Flathead  
County.

Commissioner Rowe moved to approve the lease renewal. Commissioner McCaffree seconded the motion, which passed unanimously.

(346) In the matter of TN1597 - Lawrence M. Rummans dba Diamond Willow Stage Line, Lewistown, Montana, requests permission to lease PSC No. 9138, SUB C ONLY, to Security Armored Express, Inc., Helena, Montana for a period of six (6) months, June 20, 1994 to December 20, 1994.

SUB C Class C - Express freight between all  
points and places in Fergus, Musselshell,  
Yellowstone, Judith Basin and Cascade  
Counties.  
Limitations: 1) All shipments must

originate or terminate in Fergus, Musselshell, or Judith Basin Counties. 2) Packages and parcels are limited to a weight of not more than 75 pounds per package or parcel. The transportation of coins, currency, silver bullion, gold bullion, and other precious metals, precious stones, valuable paintings, and other items of unusual value requiring special handling and security is prohibited. 3) Transportation of audit and accounting media, data processing media, business records, non-negotiable securities, non-negotiable bank checks and valuable papers for financial institutions; processed and unprocessed film and microfilm and incidental supplies relating to snapshots and microfilm is prohibited.

Commissioner Oberg moved approve permission to lease portion of Sub C. Commissioner Fisher seconded the motion, which passed unanimously.

APPEARANCE  
Laura Calkin  
Centralized Services

(347) In the matter of Travel Authorization for Will Rosquist to travel out-of-state to attend a Northwest Power Planning Council Meeting June 20 in Portland, Oregon. Commissioner Rowe moved to approve out-of-state travel. Commissioner Fisher seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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BOB ANDERSON, Chairman

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BOB ROWE, Vice Chairman

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DAVE FISHER, Commissioner

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NANCY McCaffree, Commissioner

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DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary  
(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, June 21, 1994, the following members were present:

Bob Anderson, Chairman  
Bob Rowe, Vice Chairman  
Dave Fisher, Commissioner  
Nancy McCaffree, Commissioner

Danny Oberg, Commissioner

APPEARANCE

Martin Jacobson, Wayne Budt, Bonnie Lorang

(348) In the matter of Commission's discussion of a petition by BN to modify its previous order on dualigation of Troy and Libby - Docket No. - 94.51.RR. Commissioner Rowe moved to consolidate BN's petition to the closure docket, deny the request on an interim basis and inform BN it appears it may be in violation of PSC orders. Commissioner Fisher seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson, Bonnie Lorang

(349) In the matter of Sure-Way Transportation and motions to dismiss - Docket No. T-94.38.PCN, Commissioner Fisher moved to grant the motion of Sure-Way Transportation and dismiss protestant BFI as a protestant. Commissioner McCaffree seconded the motion, which passed unanimously. Commissioner Fisher moved to vacate hearing date and grant Sure-Way's amended application for Class D. Commissioner McCaffree seconded the motion, which passed unanimously.

(350) Commissioner Rowe moved to approve the transcript rule and notice its adoption. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Martin Jacobson

(351) In the matter of the Commission's discussion of staff discussions with intervenor Paladin Associates - Docket No. 93.11.54. Commissioner Rowe moved to grant the request of Paladin for an extension of time for prehearing memorandum to a date to be arranged by staff. Commissioner Fisher seconded the motion, which passed unanimously.

(352) In the matter of Montana Power Company and MPC objections to Paladin data requests - Docket No. 93.11.54. Commissioner Fisher moved to grant MPC's objections to data requests on a preliminary basis and allowing Paladin to file a response by June 30th before issuing a final ruling. Commissioner Rowe seconded the motion, which passed unanimously.

In the matter of the Commission's discussion of PSC Data Requests 28 and 29 - Docket # 94.4.17; Commissioner Rowe moved to issue an Order to Show Cause to MDU requiring them to respond why the information in Data Requests 28 and 29 should not be made public. Motion dies for lack of second.

APPEARANCE

Dan Elliott Robin McHugh

(353) In the matter of the Commission's discussion of the Watson report on affiliated interests and possible follow up work of the consultant Tim Watson. Commissioner Fisher moved to approve the supplemental contract with Tim Watson to complete work on affiliated interests. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE

Mike Lee, Robin McHugh

(354) In the matter of MDU; Commissioner Rowe moved to direct the Chair to write MDU outlining certain deficiencies in its

electric Cost of Services filing. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE  
Will Rosquist

(355) In the matter of One-Call; Commissioner Rowe moved to approve One-Call tariffs filings N-93.112, N-94-32 and N-94-35. Commissioner Fisher seconded the motion, which passed unanimously.

APPEARANCE  
Robin McHugh, Wayne Budt

(356) In the matter of the Commission's discussion of an ICC ruling on the PSC's complaint about UP tariff dialing with customers using local agency services. Commissioner Fisher moved to direct staff to request rehearing before the ICC of ICC Decision No. 40913. Commissioner McCaffree seconded the motion, which passed unanimously.

APPEARANCE  
Dan Elliott, Robin McHugh, Wayne Budt

(357) In the matter of the Commission discussion of its budget; Commissioner Rowe moved to approve out-of-state travel for Gerry Chasse to attend computer software training in Seattle, WA July 25 -28th. Commissioner McCaffree seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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BOB ANDERSON, Chairman

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BOB ROWE, Vice Chairman

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DAVE FISHER, Commissioner

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NANCY McCAFFREE, Commissioner

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DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Tuesday, June 21, 1994, the following members were present:

Bob Rowe, Vice Chairman

Dave Fisher, Commissioner  
Nancy McCaffree, Commissioner

Commissioner Anderson and Oberg did not sit on this case.

APPEARANCE

Denise Peterson, Bonnie Lorang

(358) In the matter of Plouffe - Docket T-93.98.PCN; Commissioner McCaffree moved to deny motion by Protestant to rule on jurisdiction prior to the hearing. Commissioner Fisher seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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BOB ROWE, Vice Chairman

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DAVE FISHER, Commissioner

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NANCY McCAFFREE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Friday, June 24, 1994, the following members were present:

Bob Anderson, Chairman  
Bob Rowe, Vice Chairman  
Dave Fisher, Commissioner  
Nancy McCaffree, Commissioner  
Danny Oberg, Commissioner

APPEARANCE

Dan Elliott, Administrator  
Utility Division

(359) In the matter of Montana Power Company - Docket 93.6.24, Complaint on Final Order 5709d and Order on Motion for Reconsideration 5709e. Motion to substitute. Commissioner Rowe moved to grant order on motion. Commissioner McCaffree seconded the motion, which passed unanimously.

(360) In the matter AT&T - Docket N-94-43, On May 20, 1994, AT&T filed Advice No. 94-14 proposing to change the application of its dial station rates to encourage customers to re-dial a disconnected call themselves after they have contacted the operator to request credit. Customers would no longer be charged a lower dial-station rate when, after an interruption, the customer

requests an operator to complete or re-establish the call. Commissioner Fisher moved to approve AT&T filing. Commissioner Oberg seconded the motion, which passed. Commissioners Anderson, Oberg and Fisher voted aye. Commissioners McCaffree and Rowe dissented.

APPEARANCE  
Bonnie Lorang  
Transportation Division

(361) In the matter of TN1598 - Charles Glass & Sons, Denton, Montana requests permission to lease PSC No. 3513 to Glass Trucking, Inc., Denton, Montana for a period of two months, pending completion of sale and transfer proceedings.

Class B - livestock between all points and places in the State of Montana.

SUB B Class B - (1) Molasses and liquid feed between all points and places within Fergus, Yellowstone, Cascade, Richland, Petroleum, Garfield, McCone, Judith Basin, Chouteau, Musselshell, Hill, Pondera, Lewis & Clark, Silver Bow and Missoula Counties.

Limitations: Transportation is limited to the accounts of Cargill, Inc., GTA Feeds and Nutritional Service Associates, dba NSA Feeds. (2)

Liquid fertilizer between all points and places in Fergus and Judith Basin Counties.

Limitations: Transportation is limited to the account of Nutro Grow.

Commissioner McCaffree move to approve the lease. Commissioner Fisher seconded the motion, which passed unanimously.

There being no further business to come before the Commission the meeting was adjourned.

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BOB ANDERSON, Chairman

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BOB ROWE, Vice Chairman

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DAVE FISHER, Commissioner

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NANCY McCAFFREE, Commissioner

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DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)At the meeting of the Public Service Commission of the State of Montana held at the Commission's Offices in Helena, Montana, on Friday, June 24, 1994, the following members were present:

Bob Anderson, Chairman  
Bob Rowe, Vice Chairman  
Dave Fisher, Commissioner  
Nancy McCaffree, Commissioner  
Danny Oberg, Commissioner

APPEARANCE

Robin McHugh, Dan Elliott, Wayne Budt

(362) In the matter of the Commission's discussion of a request to forward a position description for employee Chuck Evilsizer to the Dept. of Administration. Commissioner Fisher moved to approve the request. Commissioner McCaffree seconded the motion, which passed unanimously.

(363) In the matter of discussion of PSC budget; Commissioner Rowe moved to authorize upgrade and pay change for Edie Wheat effective June 1, 1994. Commissioner McCaffree seconded the motion, which passed unanimously.

(364) In the matter of discussion of the Commission budget and rent; Commissioner Fisher moved to authorize payment of rent retroactive to September 1, 1993. Commissioner McCaffree seconded the motion, which passed. Commissioners Anderson, Oberg, McCaffree and Fisher voted aye. Commissioner Rowe dissented.

(365) In the matter of the Commission's discussion of the Budget and utilization of open slots. Commissioner Fisher moved to inform budget office that the Commission has voted that the exempt position will be used a a support person assigned to Commission Chair for supervision. Commissioner Oberg seconded the motion,

which passed. Commissioners Oberg, Anderson, Fisher and McCaffree voted aye. Commissioner Rowe dissented.

There being no further business to come before the Commission the meeting was adjourned.

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BOB ANDERSON, Chairman

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BOB ROWE, Vice Chairman

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DAVE FISHER, Commissioner

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NANCY McCAFFREE, Commissioner

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DANNY OBERG, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)